

21. (Original) The device of Claim 15, wherein a flow path is considered to be restored upon receipt of test cells for a period of time.

22. (Currently Amended) The device of Claim ~~19~~ 13, wherein said flow controllers include a back pressure mechanism to reduce overall combined flows below a given rate that is acceptable for a traffic management function therein

23. (Original) The device of Claim 13, wherein said ingress flow controllers are operable to send special test cells to all programmed destinations to disable further test cell checking related to said ingress flow controller.

24. (Currently Amended) The device of Claim ~~13~~ 15, wherein each of said test cells includes a hierarchical address having multiple fields pertaining to various type links within said ~~interface~~ switch device for traversal thereover.

25. (Original) The device of Claim 15, wherein said link test cell generator is operable to back pressure a traffic manager in said ingress flow controller to create space for test cell insertion.

26. (Withdrawn)

#### REMARKS

Claims 1-25 are pending in the application.

Claims 1-10, 12-22 and 24 were rejected.

Claims 11, 23 and 25 were objected to.

Claims 1, 10, 12, 13, 22 and 24 are amended herein.

Claims 5 and 17 are cancelled.

**I. Objections to Drawings**

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(5) because of missing reference signs and an incorrect descriptive label. A set of proposed replacement drawings are enclosed that are believed responsive to this objection. Withdrawal of the objection is respectfully requested.

**II. Objection to Specification**

The specification was objected to because of various enumerated informalities. The specification has been amended herein in a manner believed to address and overcome the bases for this objection. Withdrawal of the objection is respectfully requested.

**III. 35 U.S.C. §112 Claim Rejections**

Claims 5, 17 and 24 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement or lacking a proper antecedent. Claims 5 and 17, which were subject to the enablement rejection have been cancelled. Claim 24, subject to the antecedent objection has been amended to redirect to an intermediate parent providing antecedent support for the “test cell” term, and the “interface” has been replaced by a term having a clear antecedent in the ultimate parent claim. Withdrawal of the §112, first paragraph rejections in view of these amendments and cancellations is respectfully requested.

Claims 7, 10, 19 and 22 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention. Specifically, the Office Action states that the phrase “redundant switching cores need not operate in lock step” appearing in claims 7 and 19 is not

clear and that the specification does not describe the lock step. Applicants respectfully request reconsideration of this rejection.

Redundant switching cores are well known in the art, and are referred to various places in the specification -- see, *e.g.*, page 4, line 28. The specification also addresses the matter of the switching cores not operate in lock step in several different places -- see *e.g.* page 5, lines 3-4 and page 14, lines 1-2. In regard to the meaning of the cores operating in lock step, applicants believe that those skilled in the art will readily understand that such a term connotes the absence of synchronous operation among the switching cores. In view of this support for the claim terminology in the specification, and the well understood meaning of the term "lock step," Applicants respectfully submitted that there is no indefiniteness the respect to the subject matter of rejected claims 7 and 19. Reconsideration of the rejection in scoring requested.

As regards rejected claims 10 and 22, which depend respectfully from claims 7 and 19, Applicants believe that the reasoning above, as to the lack of indefiniteness for those parent claims, also overcomes the rejection basis for these dependent claims. Nonetheless, as much as the limitations of those intermediate parent claims (10 and 22) are not believe required to functionally support the limitations of claim 10 and 22, those claims have been amended to depend directly from their respective independent-claim parents (claims 1 and 13). As so amended, the basis for the §112 rejection of those claims should also be overcome. Withdrawal of the §112 rejection of claims 10 and 22 is accordingly respectfully requested.

#### IV. Claim Objections

Claims 1, 10 and 12 were objected to because of various identified informalities. In regard to claim 1, Applicants have amended the term "said flow controllers" to "said ingress and egress flow controllers." It is believed that, with this amendment, the basis for objection to claim 1 has been overcome. As to claim 10, the term "said flow controllers" has been amended to "said egress flow controllers." It is believed that, with this amendment, the basis for objection to claim 10 has been overcome. Finally, with regard to claim 12, the term "interface" has been replaced by the term "switch," which term has a clear antecedent in parent claim 1. It is believed that, with this amendment, the basis for objection to claim 12 has been overcome. Withdrawal of those claim objections is accordingly respectfully requested.

#### V. 35 U.S.C. §103 Claim Rejections

Claims 1-9, 12-21 and 24 were rejected under 35 USC §102(e) as being anticipated by Jones *et al.* (U.S. Patent No. 6,067,286). Applicants respectfully traverse these rejections and request reconsideration by the Examiner.

The invention is directed to an improved methodology for fault detection and service frustration (protection switching) for a multiservice switch having redundant switching cores. According to the invention, an egress receiver selects, on a per flow basis, which switching core to use, and in the event of a fault, operates to cause the flow to be switched to the other core. In an aspect of the invention, an aggregator-arbiter combination associated with the egress receiver has access to an address table storing addresses for each flow traversing the switching system. In the event of a fault in a given flow, the associated arbiter operates to map the address of the failed flow to the address of a protection path, and vice versa. This results

in the flow being switched to the protection path, and with notification need to be sent to the ingress source for the flow path.

While the cited reference, Jones, maybe generally address to protection switching involving redundant switching cores, the Applicants believe it clear that nothing in the teaching of Jones can reasonably be construed to show or suggest the above described aspect of the invention involving remapping of a flow address to a protection path that and egress arbiter. To that end, Applicants have amended each of their independent claims to include a limitation directed to that characteristic of the invention. As so amended, Applicants respectfully submitted that their claims readily distinguished over Jones. Withdrawal of the §102 rejection of the claims is accordingly requested.

#### **VI. Allowable Subject Matter**

Dependent claims 11, 23 and 25 were objected to as being dependent on a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Dependent claims 10 and 22 were indicated as being allowable if rewritten to overcome the §112 rejection addressed above, and to include all of the limitations of the base claim and any intervening claims. The Applicants thank the Examiner for providing this indication of allowed and allowable claims. However, Applicants believe that amended independent claims 1 and 13, which serve as the base claims for these allowable dependent claims, are also allowable over the art of record, for the reasons indicated above. Accordingly, the Applicants have determined not to present any new independent claims directed to those allowable dependent claims at this time.

**VII. Conclusion**

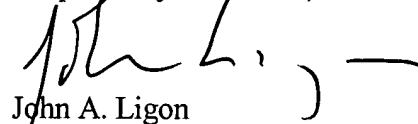
Having fully addressed the Examiner's rejections herein, it is believed that, in view of the preceding amendments and remarks, this application now stands in condition for allowance.

Such allowance is respectfully requested.

Please address all correspondence to John A. Ligon, Law Office of John Ligon, P.O. Box 281, Atlantic Highlands, NJ 07716. Telephone calls should be made to the undersigned at (732) 872-3330.

Please charge any fees due in respect to this amendment to Deposit Account No. 50-1944.

Respectfully submitted,



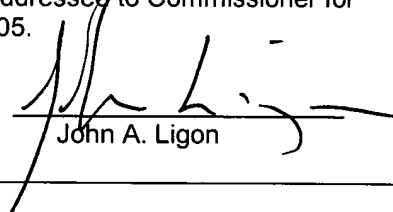
John A. Ligon  
Reg. No. 35,938  
Attorney for Applicant

Dated: September 19, 2005

LAW OFFICE OF JOHN LIGON  
PO Box 281  
ATLANTIC HIGHLANDS, NJ 07716-0281  
732 872-3330  
**PTO CUSTOMER NO. 30541**

I hereby certify that this Response to Office Action is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313 on September 19, 2005.

By:



John A. Ligon

**ATTACHMENT**  
**Proposed Replacement Drawing Sheets**